

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**San Francisco Venue**

---

**Report on Offender Under Supervision**

---

**Name of Offender** Demontae Terell Toliver      **Docket Number** 0971 5:14CR00051-001 LHK

**Name of Sentencing Judge:** The Honorable Ronald M. Whyte  
Senior United States District Judge

This case was reassigned to Your Honor on December 2, 2020.

**Date of Original Sentence:** January 19, 2016

**Original Offense**

Count One: Use of Interstate Facilities to Transmit Information About a Minor; Aiding and Abetting, 18 U.S.C. § 2425, a Class C Felony.

**Original Sentence:** 60 months custody, seven years supervised release

**Special Conditions:** \$100 special assessment; restitution \$2,000; drug testing and treatment; no alcohol; CIMP enrollment; no access to Internet without probation officer approval; computer search; no data encryption; employment must be approved by probation officer; residence must be approved by probation officer; register as a sex offender; no contact with victims; expanded search; no contact with co-defendant.

**Prior Form(s) 12:** On April 14, 2020, the Court took judicial notice that Mr. Toliver accessed the Internet without prior approval from the probation officer; submitted a urine sample positive for marijuana; and failed to submit restitution payments as directed.

On November 16, 2020, a Summons for Person Under Supervision was filed by the Court. Mr. Toliver was scheduled to appear before Your Honor on January 27, 2021.

<b>Type of Supervision</b> Supervised Release	<b>Date Supervision Commenced</b> July 26, 2018
<b>Assistant U.S. Attorney</b> Patrick Delahunty	<b>Defense Counsel</b> Jay Rorty (Appointed)

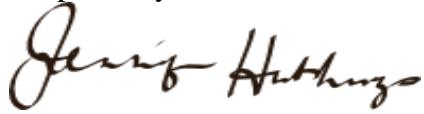
---

**Petitioning the Court to Take Judicial Notice**

**Cause**

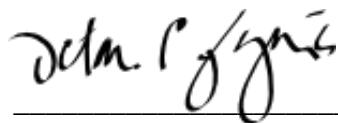
On December 29, 2020, this officer became aware that Mr. Toliver was deceased. Mr. Toliver was in the ICU at San Francisco General Hospital, after being found unresponsive on the street in San Francisco. Mr. Toliver suffered a heart attack and due to being without oxygen for several hours, became brain dead. He passed on December 29, 2020. I am in the process of obtaining a death certificate and if requested, will forward to the Court. As Mr. Toliver is now deceased there is no further court action to be taken and the case will be closed. As such, it is respectfully recommended the Court take judicial notice on this matter, allow this case to be closed, and vacate the status hearing on January 27, 2021.

Respectfully submitted,



Jennifer Hutchings  
U.S. Probation Officer  
Date Signed: January 4, 2021

Reviewed by:



Octavio E. Magaña  
Supervisory U.S. Probation Officer

---

**THE COURT ORDERS:**

- The Court concurs, takes judicial notice, and vacates the hearing on January 27, 2021
- Submit a request to modify supervision
- Submit a request for a warrant
- Submit a request for summons
- Other:

---

Date

January 5, 2021



---

Lucy H. Koh  
United States District Judge